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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/506,779

09/07/2004

Hans Ingmar Granlind

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01/29/2007

BANNER & WITCOFF

1001 G STREET N W

SUITE 1100

WASHINGTON, DC 20001

EXAMINER

YEAGLEY, DANIEL S

ART UNIT

PAPER NUMBER

3611

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/29/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/506,779

Applicant(s)

GRANLIND, HANS INGMAR

Examiner

Daniel Yeagley

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/7/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "121a" and "122a" have been used to designate both the (branches) and the (connecting part bearing members). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because:
- the form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. Correction is required. See MPEP § 608.01(b).
 - (line 25); should be deleted
3. The disclosure is objected to because of the following informalities:
- Page 13, line 28, the word "realised" should be changed to --realized--.
4. Claim 23 recites the limitations of "*the* end portions" of the bearing members which lacks proper antecedent basis.

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5. Claim 24 recites the limitations of "*the distance*" which lacks proper antecedent basis.
6. Claim 19 and claim 21 recites the limitations of "*the pair of wheels*" which lack proper antecedent basis.
7. Claim 14 recites the limitations of "*the arm*" which lacks proper antecedent basis.
8. The application reveals terminology relating to the range values that are so different from that which are generally accepted in the art to which this invention pertains that a thorough search of the prior art could not be made. For example: "length within a range of 0,1 to 0,4" or "a range of 0,2 to 0,3". Applicant is required to provide a clarification of these matters or correlation with art-accepted terminology so that a proper comparison with the prior art can be made. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

Appropriate corrections are required.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1 - 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. Regarding claim 1, both phrase(s) of "**or the like**" render the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).
- b. Regarding claim 1, the following terms "preferably", "these" and "the same" are considered indefinite.
- c. Regarding claim 1, the word "means" is preceded by the word(s) "coordinated by" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).
- d. Regarding claim 7 and claim 8, recite the limitations of ("*a second*" and "*a third*" hydraulic-pressure-generating arrangement) which are out of sequence and lack sufficient antecedent basis because they are dependent upon claim 1 which does not disclose *a first* hydraulic-pressure-generating arrangement.
- e. Regarding claims 4, 10, 11, 15 and 21, recite the limitations of ("*a second*", or "*astern*" end portion) which are out of sequence and/or lack antecedent basis.
- f. Regarding claim 19, the term "*a second, astern, end area*" is out of sequence and lack antecedent basis.

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- g. Regarding claim 12 and claim 19, the terms "*the appurtenant* branch" lack sufficient antecedent basis.
- h. Regarding claim 18, the term "especially" is considered indefinite.
- i. Regarding claim 18, a broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 18 recites the broad recitation a range of 0.1 to 0.4, and the claim also recites a range of 0.2 to 0.3 that is the narrower statement of the range/limitation.

Claim Rejections - 35 USC § 102

- 11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or **described in a printed publication in this or a foreign country** or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1 – 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Granlind WO 01/68444.

Granlind shows a trailer (figure 3) having a U-shaped chassis (figure 5) with turnably related branches connected by a connecting part 41 (page 9, line 2-5) and include wheels and a number of struts and slings (figure 2), wherein the trailer is characterized in that struts 13a belong to a first front end portion and have struts at a second astern end portion of branches 31 and are coordinated by means of at least one sling (page 5, line 25-26), and consists of at least one piston-cylinder arrangement hydraulically interconnected with each other via valve arrangement (page 11, line 14-15; control units with activating means) and include a first and second hydraulic-pressure-generating arrangement (pumps, page 11, line 30-31), such that the struts are oriented in pairs to each end portion of the trailer (figure 5) and are turnably mounted to the branches via an arm 13b and the branches are displaceably related and include steerable driven pair of bogie wheels (page 8-12) and further discloses bearing members to allow branches to assume a position that is displaceably arranged along connecting part for adjusting the distance between the branches for transportation of a slender boat (page 11, line 23-24).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Granlind WO99/54165, SE9501759, SE9300764, SE9100808, Fraser '577, Chase '952, Groves et al '247, Larson '409, Kumferman '717 and Feider et al '124.

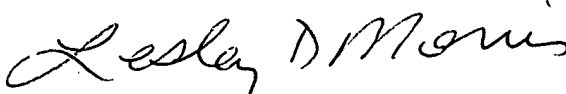
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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Yeagley whose telephone number is (571)-272-6655. The examiner can normally be reached on Mon. - Thur..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on (571) - 272 - 6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

D.Y.


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SUPERVISORY PATENT EXAMINER
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